IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 22165 of 2004

Between:

Pujari Upendra S/o.Pullaiah
R-kothagudem, Cherla (m),
Khammam Dist.

..... PETITIONER

AND

1 The District Collector
Khammam.
2 The Additional Agent to Government of Project Officer Integrated Tribal

Development Authority, Bhadrachalam, Khammam Dist.
3 The Revenue Divisional Officer
Palvoncha, Khammam Dist.
4 The Mandal Revenue Officer
Manuguru (M), Khammam Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue appropriate writ or order or orders and more particularly in the nature of writ of mandamus declaring that the contemplated acts, deeds and things of the respondents to assign the land admeasuring acres 0.02 guntas (5 cents) in Survey No.138/2, situated at within Manuguru Grampanchayat Limits, Manuguru Sivaru, Manuguru Mandal, Khammam Dist and is bounded by East the remaining land of the vendor (pattedar karam Bangaru); West P.W.D Road;North House of kompelly Yadagiri, South: Canal (Vaagu) are illegal, against to law and much against to the legal and fundamental rights guaranteed under the constitution of India and consequently to direct the respondents not to interfere with the above land without following due process of law and to pass such other ordes.

Counsel for the Petitioner:MR.PALIVELASATYARAJA BABU

Counsel for the Respondent Nos.1 to 4: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following Order :

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.22165 OF 2004

ORDER:

This writ petition is filed to issue a Writ of Mandamus declaring that the contemplated acts, deeds and things of the respondents to assign the land admeasuring Ac.0.02 guntas (5 cents) in Sy.No.138/2, situated at Manuguru Sivaru, Manuguru Mandal, Khammam District, to third parties as illegal and arbitrary.

Learned counsel for the petitioner contended that the respondents are trying to assign the land in question to third parties and therefore, he seeks for necessary directions.

There is no allegation in the entire affidavit that there is infringement or violation of any constitutional right, much less legal right. In the absence of violation of constitutional or legal right, the proposed contemplation cannot give rise to issue a Writ of Mandamus. The writ petition is devoid of merits and is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

02.12.2004

Note:CC today

bo

usd

To

1 The District Collector
Khammam.
2 The Additional Agent to Government of Project Officer Integrated Tribal

Development Authority, Bhadrachalam, Khammam Dist.

3 The Revenue Divisional Officer
Palvoncha, Khammam Dist.

4 The Mandal Revenue Officer
Manuguru (M), Khammam Dist.

5. Two CCs to G.P. for Social Welfare, A.P. High Court Buildings, Hyderabad

(OUT).

6. Two CD copies.